IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38201 of 2007(W)

PETITIONER:

SRI.A.SIRAJUDEEN,
AKHILA TRADERS,
ENGLISH CHURCH ROAD,
PALAKKAD.

BY ADV. SRI.JOSE JOSEPH

RESPONDENTS:

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1. THE SALES TAX OFFICER,
FIRST CIRCLE,
PALAKKAD.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES,ERNAKULAM.

3. THE TAHSILDAR (R.R.),
PALAKKAD.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI, J.

W.P.(C) No.38201 of 2007

Dated this the 24th day of December, 2007

J U D G M E N T

Aggrieved by Ext.P1 order passed by the first respondent, the petitioner has preferred Ext.P4 appeal before the appellate authority and has also moved an application for stay of collection of the disputed tax as Ext.P5. The petitioner is aggrieved by the fact that orders are not being passed on the application for stay and the appeal.

2. After having heard the learned Government Pleader also, this writ petition is disposed of directing the second respondent to consider and pass orders on Ext.P5 within a period of one month from the date of receipt of a copy of the judgment which the petitioner shall produce before the second respondent. Recovery of further amounts pursuant to Exts.P2 and P3 shall be kept in abeyance for a period of three months from today.

(V.GIRI, JUDGE)

jsr